IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.55 OF 1997

Jamil Ahmed Zuber Ahmed Khan @ Don ...Petitioner

Versus

The Assistant Commissioner of

Police & Ors. ...Respondents

.....

Mr.S.V.Marwadi for Petitioner.

Mr.K.V.Saste, A.P.P. for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

MARCH 22, 2005.

P.C.

1. This Petition takes exception to the externment order passed as back as on 21st January 1997 by the competent Authority against the Petitioner. The Petitioner has suffered externment period partly. This Court, while entertaining the present Petition, granted interim relief on 27th January 1997 in favour of the Petitioner. Due to efflux of time, the purpose for which the externment order was issued, must have come to an

end.

2. In this backdrop, I am inclined to dispose of this Writ Petition with direction that the remaining period of externment shall not be enforced against the Petitioner, keeping all other questions open.

3. This course is adopted in view of the exposition in the Judgment of the Apex Court in the case of **Baby Naaz vs. Union of India reported in 1990 (Supp) SCC 163 (II)**.

4. Accordingly, this Petition is disposed of on the above terms.

A.M.KHANWILKAR, J.